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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/600,905

06/20/2003

Prabhakar R. Chitrapu

I-2-0337.1US

9199

24374

7590

11/02/2006

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EXAMINER

SMITH, CREIGHTON H

ART UNIT

PAPER NUMBER

2614

DATE MAILED: 11/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/600,905	<b>Applicant(s)</b> CHITRAPU, PRABHAKAR R.	
	<b>Examiner</b> Creighton H. Smith	<b>Art Unit</b> 2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-13 is/are allowed.
- 6) ☒ Claim(s) 14 is/are rejected.
- 7) ☒ Claim(s) 15-22 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>12.19.03, 06.22.06</u> . | 6) <input type="checkbox"/> Other: ____.  |

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claim 14 is rejected under 35 U.S.C. 102(e) as being anticipated by Pan et al '045 or Janevski et al – U.S. patent Publication #2004/0008645\*\*\*.

Applicant's claim 14 reads upon a soft-handover between a cellular network and a WLAN.

Pan et al disclose a wireless communication system comprising a carrier network (104), where Pan et al disclose that the carrier network is a cellular network, col. 4, line 55, such as cdma200 and the like – col. 3, line 1; and a non-carrier network (106), where Pan et al disclose that the non-carrier network could be a WLAN or Bluetooth™, col. 4, lines 2-10. Figure 1 of Pan et al shows a user equipment/mobile terminal (102/108) that is in transition between cellular network 104 and WLAN 106. Pan et al disclose in col. 2, lines 43-46, that the media gateway or the mobile station determines

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whether the mobile station has entered a transition area of the area of coverage. This "transition area disclosed by Pan et al anticipates applicant's "geographic coverage area" because in order for continuous and seamless data or voice transmission to occur and no dropped calls, there must be overlapping coverage areas, and Pan's transition area is the overlapping geographic. Pan et al disclose a signaling connection between cellular network 104 and WLAN 106, col. 4, lines 41-43. The user traffic connection between the 2 networks occurs at the point of handover when the voice/data transmissions are physically moved from one network to the other.

Claims 15-22 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The prior art fails to disclose a WLAN notifying a mobile station when the mobile station is idle in the WLAN and active in the cellular network, by sending a message thru the cellular network; and vice versa where a cellular network will send a message to the mobile device thru the WLAN of an incoming cellular transmission when the mobile device is active in the WLAN and idle in the cellular network.

Claims 1-13 are allowed. The prior art fails to disclose applicant's "identifying," "transmitting," and "routing" steps.

Any inquiry concerning this communication should be directed to Creighton H. Smith at telephone number 571/272-7546.



Creighton H Smith  
Primary Examiner  
Art Unit 2614